

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PEIERLS FOUNDATION, INC.)
and E. JEFFREY PEIERLS, individually)
and as trustee,)
Plaintiffs,)
v.) CIVIL ACTION
) NO. 03 CV 12213 EFH
)
JAMES E. RURKA, MARK SKALETSKY)
PAUL J. MELLET, RICHARD ALDRICH,)
KATE BINGHAM, CHARLES W. NEWHALL III)
DAVID SCHNELL, and JOHN P. WALKER,)
Defendants.)
)

**ASSENTED-TO MOTION OF DEFENDANTS
FOR ENLARGEMENT OF TIME WITHIN WHICH
TO ANSWER THE COMPLAINT**

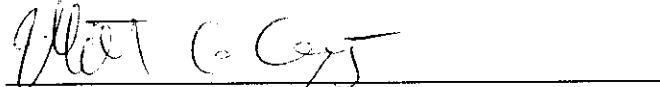
Defendants, through their undersigned counsel, hereby move this Honorable Court, with the assent of Plaintiffs, for an enlargement of time within which to answer the Complaint and Jury Demand (the "Complaint") in the above-referenced action. Defendants request that the time within which they may answer be enlarged up to and including May 24, 2004. Defendants request this time to allow them to investigate and respond to Plaintiffs' allegations.

WHEREFORE, Defendants requests this Honorable Court to grant their Motion for Enlargement of Time, permitting them to file their Answer to the Complaint on or before May 24, 2004.

Respectfully submitted,

JAMES E. RURKA, MARK SKALETSKY,
PAUL J. MELLET, RICHARD ALDRICH,
KATE BINGHAM, CHARLES W. NEWHALL
III, DAVID SCHNELL, and JOHN P.
WALKER

By their attorneys,



Steven W. Hansen, BBO#220820
Matthew C. Applebaum (BBO# 653606)
BINGHAM McCUTCHEN LLP
150 Federal Street
Boston, MA 02110
(617) 951-8000

Dated: May 17, 2004

LOCAL RULE 7.1(A)(2) CERTIFICATION

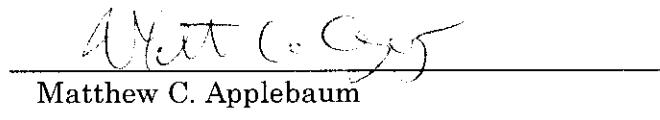
Undersigned counsel hereby certifies that he conferred with counsel for Plaintiffs on May 17, 2004 in an attempt to resolve the issue presented in this motion, at which time counsel for Plaintiffs informed counsel for Defendants that Plaintiffs assented to this request for additional time.



Matthew C. Applebaum

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney(s) of record for each other party by mail on May 17, 2004.



Matthew C. Applebaum